

## **REMARKS**

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

By the foregoing amendment, claims 3 and 6 have been amended, claims 1-2 and 4-5 canceled, and new claim 7 added. No new matter has been added. The claim amendments are supported at least by the description of Figure 7A and 7B in the present written description. Thus, claims 3, 6, and 7 are currently pending in the application and subject to examination.

### **I. Double Patenting**

Claim 1 is provisionally rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over claim 1 of co-pending Application No. 10/742,774 (Publication No. 2004/0136551). The Applicants note that claim 1 has been canceled. Therefore, this rejection is moot. Furthermore, the present application was filed before the cited application, and, thus, the rejection was improper.

### **II. 35 U.S.C. § 102/103**

Claims 1 and 4 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,856,064 to Iwamatsu ("Iwamatsu"). Under 35 U.S.C. § 103(a), claims 2 and 5 are rejected as being unpatentable over Iwamatsu in view of U.S. Patent No. 6,901,148 to Yoshino et al. ("Yoshino"); claim 3 is rejected as being unpatentable over Iwamatsu in view of Yoshino and further in view of U.S. Patent No. 5,761,315 to Lida et al. ("Lida"); and claim 6 is rejected as being unpatentable over Iwamatsu in view of U.S. Publication No. 2003/0021433 to Lee ("Lee"). It is noted that claims 1-2 and 4-5 have been canceled, and claims 3 and 6 have been amended. To the extent that the

rejections remain applicable to the claims currently pending, the Applicants hereby traverse the rejections as follows.

Newly added claim 7 is directed to an audio apparatus comprising a main speaker, a signal processing circuit for performing signal processing on the audio signal from the sound source to generate a sound effect audio signal for reproduction of a sound effect required of the sound of the sound source, and at least one sound effect speaker, wherein the signal processing circuit performs attenuation processing on the audio signal sent from the sound source to decrease a sound pressure level within a required set-time interval starting from a rise time of the sound effect output from the sound effect speaker in a position of a listener hearing the sound of the sound source output from the main speaker and the sound effect output from the sound effect speaker, to a required set value smaller than a sound pressure level within the predetermined set-time interval starting from a rise time of the sound of the source sound output from the main speaker, and wherein a difference between a waveform within a predetermined time interval from the rise time of the source of the sound output from the main speaker in a listening position, and the time waveform within a predetermined time interval from the rise time of the sound effect output from the sound effect speaker in the listening position is equal to or higher than a predetermined value.

By setting values for a delay time and an attenuation rate of a sound effect with respect to a source sound, in combination with the other features recited in claim 7, a high degree of localization for a sound to be reproduced is obtained. For example, when the audio apparatus is mounted in a vehicle, a listening position is fixed, such as the driver seat or a front passenger seat. Further, the shape of the passenger chamber

in the vehicle is predetermined depending on the vehicle model. Thus, by presetting the delay time and the attenuation rate of the sound effects in each of the sound effect audio signal processing circuits, etc. in accordance with a listening position, such as a driver seat or front passenger seat, and the capacity/volume and shape of the passenger chamber, a listener, such as the driver, is able to listen to sound with a balanced tone.

As described on page 11 of the specification, this provides a listening experience closely analogous to the acoustic of live sound created in a concert hall or the like.

None of the cited references disclose or suggest an audio apparatus including a main speaker, a signal processing circuit, and at least one sound effect speaker, at least wherein the signal processing circuit performs attenuation processing on the audio signal sent from the sound source to decrease a sound pressure level within a required set-time interval starting from a rise time of the sound effect output from the sound effect speaker in a position of a listener hearing the sound of the sound source output from the main speaker and the sound effect output from the sound effect speaker, to a required set value smaller than a sound pressure level within the predetermined set-time interval starting from a rise time of the sound of the source sound output from the main speaker, and wherein a difference between a waveform within a predetermined time interval from the rise time of the source of the sound output from the main speaker in a listening position, and the time waveform within a predetermined time interval from the rise time of the sound effect output from the sound effect speaker in the listening position is equal to or higher than a predetermined value, as recited in newly added claim 7.

For at least this reason, the Applicants submit that claim 7 is allowable over the cited art. As claim 7 is allowable, the Applicants submit that claims 3 and 6, which depend from allowable claim 7, are therefore also allowable for at least the above noted reasons and for the additional subject matter recited therein.

### **CONCLUSION**

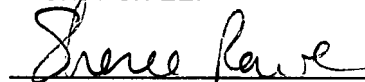
For all of the above reasons, it is respectfully submitted that the claims now pending patentably distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into condition for allowance, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 with reference to Attorney Docket No. 107156-00208.

Respectfully submitted,

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